

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EDO GINSBURG, M.D., and
BRIAN P. YUSKEVICH, M.D.

v.

ARIA HEALTH PHYSICIAN
SERVICES, ARIA HEALTH
SYSTEM, and RANDY K.
METCALF, M.D.

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CIVIL ACTION

No. 12-1140

ORDER

AND NOW, this 31st day of August, 2012, upon consideration of the complaint (paper no. 1), the motion to dismiss (paper no. 23), and the response thereto (paper no. 25), for the reasons in the attached memorandum, it is **ORDERED** that the motion to dismiss is **GRANTED-IN-PART** and **DENIED-IN-PART**:

1. The motion to dismiss (paper no. 23) is **GRANTED** as to the breach of contract claim (Count IX) and the Pennsylvania Whistleblower Law claim (Count X). These claims are **DISMISSED WITH PREJUDICE**.
2. The motion to dismiss (paper no. 23) is **DENIED** as to all other claims.

/s/ Norma L. Shapiro

J.